

# DIRECTIVE

## WORKFORCE INVESTMENT ACT

Number: WIAD02-7

Date: September 23, 2002  
69:96va:6185

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: CONTRACT AIRPORT SECURITY SCREENERS—DISLOCATION

### EXECUTIVE SUMMARY:

#### Purpose:

The purpose of this directive is to provide information and guidance pertaining to the layoff of contract airport security screeners.

#### Scope:

The guidance in this directive applies to Local Workforce Investment Areas and subrecipients responsible for determining the eligibility of applicants for dislocated worker activities.

#### Effective Date:

The directive is effective immediately.

### REFERENCES:

- Aviation and Transportation Security Act (Public Law 107-071)
- Civil Aviation Security Rules; Final Rule, February 22, 2002, Title 14 Code of Federal Regulations (CFR) Parts 91 et al.; Title 49 CFR Parts 1500 et al. [Federal Register Volume 67, Number 36; Friday, February 22, 2002; Rules and Regulations]
- Workforce Investment Act of 1998, Section 101(9)

### STATE-IMPOSED REQUIREMENTS:

This directive contains State-imposed requirements, which are printed in ***bold, italic type***.

### FILING INSTRUCTIONS:

This directive finalizes Draft Directive WIADD-42, issued for comment on September 3, 2002. Retain this directive until further notice.

## **BACKGROUND:**

The Aviation and Transportation Security Act authorized the Undersecretary of the Transportation Security Administration (TSA) to establish a program for the hiring and training of airport security screening personnel. At minimum, applicants must pass a federal security screening personnel selection exam, be a United States (U.S.) citizen, pass a criminal background check, and be proficient in English. Security screening personnel will be tested every year and must have at least 40 hours of classroom instruction or have completed a program the Undersecretary deems equivalent and must complete 60 hours of on-the-job training. Veterans will have preference.

On February 20, 2002, the TSA published a notice in the Federal Register announcing that it will replace contract security screeners with its own federally hired, trained, and tested employees at required U.S. airports by November 19, 2002. [Federal Register Volume 67, Number 34, Wednesday, February 20, 2002 Notices]

By December 6, 2002, airports are required to increase airport security and conduct criminal background checks of airport security personnel. Because of long-standing federal requirements for airport security personnel, airports do not anticipate terminating many security personnel, especially since the majority of them are sworn law enforcement officers.

By the end of the year, airlines must fingerprint and conduct background checks on any airline personnel that have access to the secured areas of an airport. The Immigration and Naturalization Service (INS) is also reviewing the alien status and authorization to work of airline employees who access secured areas of an airport. The airlines do not anticipate terminating many employees because of fingerprinting, background checks and the INS employment eligibility verification.

## **POLICY AND PROCEDURES:**

***The TSA Notice is a notice of termination or layoff of all airport contract security screeners pursuant to Section 101(9)(B)(i) of the Workforce Investment Act (WIA) of 1998.*** Qualifying contract security screeners may apply for employment with TSA.

***All airport contract screeners are eligible dislocated workers as long as they are citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, parolees, or other immigrants authorized by the Attorney General to work in the United States and applicable males have complied with the Military Selective Service Act.***

Intensive and training services may be provided up to 180 days before November 19, 2002.

If an airport receives an extension to the November 19, 2002, deadline, intensive and training services may be provided up to 180 days before the new deadline.

San Francisco Airport is the only California airport that is exempt from the TSA Notice that TSA will replace contract security screeners with its own federally hired, trained, and tested employees. The TSA will select a private contractor to hire, train and test the San Francisco Airport security screeners. Current San Francisco Airport screeners will be replaced with the contractor's own hired, trained, and tested employees. Consequently, the TSA notice of termination or layoff of all airport contract security screeners applies to all currently employed screeners at the San Francisco Airport.

**ACTION:**

Bring this directive to the attention of all appropriate staff and all subrecipients.

**INQUIRIES:**

Please direct all inquiries about this directive to Georganne Pintar Baldwin, Local Policy Guidance Unit Manager, at (916) 654-7611.

/S/ BILL BURKE  
Chief  
Workforce Investment Division